

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

FIREMAN'S FUND INSURANCE	:	CIVIL ACTION NO.:
COMPANY	:	04-11578 PBS
	:	
v.	:	
	:	
FIRE SYSTEMS, INC.;	:	
FIRE SUPPRESSION SYSTEMS OF	:	
NEW ENGLAND, INC.;	:	
PRO CON, INC.	:	
and	:	
PAQUETTE ELECTRIC COMPANY, INC.:	:	
Defendants	:	AUGUST 29, 2006

**PLAINTIFF FIREMAN'S FUND'S RULE 26(a)(2)(A)  
DISCLOSURE OF EXPERT WITNESS**

**NAME AND ADDRESS OF WITNESS**

Bruce Swerling  
Swerling Milton Winnick  
36 Washington St. Suite 310  
Wellesley Hills, MA 02481

**SUBJECT MATTER ON WHICH THE EXPERT IS EXPECTED TO TESTIFY**

Mr. Swerling is expected to testify concerning his determination of the business income loss associated with the insurance claim submitted by Hodan Properties related to the January 19, 2003 pipe-freeze and water damage loss that occurred at the Residence Inn, 181 Faunce Corner Road, North Dartmouth, Massachusetts.

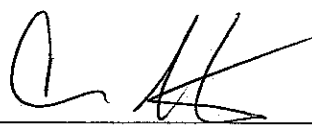
**THE SUBSTANCE OF THE FACTS AND OPINIONS TO WHICH THE EXPERT IS EXPECTED TO TESTIFY**

Mr. Swerling is expected to testify that, based upon his investigation and calculations associated with the business income loss portion of the insurance claim related to the January 19, 2003 pipe-freeze, the damages incurred by Hodan Properties for that portion were in excess of \$904,098.46.

**SUMMARY OF THE GROUNDS FOR EXPERT'S OPINION**

Ms. Swerling will testify based on his education and experience as a public adjuster and accountant, as well as his investigation into the business income loss portion of Hodan Properties' insurance claim related to the January 19, 2003 pipe-freeze at the Residence Inn premises, located at 181 Faunce Corner Road, North Dartmouth, Massachusetts.

THE PLAINTIFF,

By:   
Erik Loftus, Esq.  
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P. O. Box 608  
Windsor Locks, CT 06096  
860-292-1116  
BBO# 656315

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FOR THE DISTRICT OF MASSACHUSETTS

CERTIFICATE OF SERVICE

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FIREMAN'S FUND INSURANCE  
COMPANY

v.

FIRE SYSTEMS, INC.;  
FIRE SUPPRESSION SYSTEMS OF  
NEW ENGLAND, INC.;  
PRO CON, INC.  
and  
PAQUETTE ELECTRIC COMPANY, INC.  
Defendants

CIVIL ACTION NO.:  
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I hereby certify that on **August 29, 2006**, a copy of foregoing  
**PLAINTIFF FIREMAN'S FUND'S RULE 26(a)(2)(A) DISCLOSURE OF  
EXPERT WITNESS** was filed electronically and served by mail on anyone  
unable to accept electronic filing. Notice of this filing will be sent by e-mail  
to all parties by operation of the Court's electronic filing system or by mail  
to anyone unable to accept electronic filing as indicated on the Notice of  
Electronic Filing. Parties may access this filing through the Court's  
CM/ECF System.

/s/ Erik Loftus, Esq.  
Erik Loftus, Esquire (BBO# 656315)  
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